

IC 25-13-2

Chapter 2. Continuing Education

IC 25-13-2-1

Application of chapter

Sec. 1. This chapter does not apply to the following:

- (1) A dental hygienist who has held an initial license for less than two (2) years.
- (2) A graduate student or a person in a resident program offered by an approved organization listed under section 2(15) of this chapter.
- (3) A person who is determined by the board as being unable to practice dental hygiene due to a disability.

As added by P.L.185-1991, SEC.5.

IC 25-13-2-2

"Approved organization" defined

Sec. 2. As used in this chapter, "approved organization" means the following:

- (1) United States Department of Education.
- (2) Council on Post-Secondary Education.
- (3) National Dental Association.
- (4) American Dental Association.
- (5) Academy of General Dentistry.
- (6) National Dental Hygiene Association.
- (7) American Dental Hygiene Association.
- (8) Council on Hospital Dental Services.
- (9) American Medical Association.
- (10) Joint Commission on Accreditation of Hospitals.
- (11) Joint Commission on Healthcare Organizations.
- (12) Study clubs approved by the board.
- (13) Federal, state, and local government agencies.
- (14) International organizations approved by the American Dental Association.
- (15) A college or other teaching institution accredited by the United States Department of Education or the Council on Post-Secondary Education.
- (16) A national, state, district, or local organization that operates as an affiliated entity under the approval of an organization listed in subdivisions (1) through (14).
- (17) An internship or a residency program conducted in a hospital that has been approved by an organization listed in subdivisions (1) through (15).
- (18) Any other organization or individual approved by the board.

As added by P.L.185-1991, SEC.5.

IC 25-13-2-3

"Continuing education course" defined

Sec. 3. As used in this chapter, "continuing education course" means an orderly process of instruction designed to directly enhance the

practicing dental hygienist's knowledge and skill in providing relevant dental hygiene services that is approved by an approved organization.
As added by P.L.185-1991, SEC.5.

IC 25-13-2-4

"License period" defined

Sec. 4. As used in this chapter, "license period" means the two (2) year period beginning on March 2, 1992, and every two (2) years thereafter.

As added by P.L.185-1991, SEC.5.

IC 25-13-2-5

"Study club" defined

Sec. 5. As used in this chapter, "study club" means a group of at least five (5) dental hygienists who do the following:

- (1) Organize for the purpose of scientific study.
- (2) Operate under the direction of elected officers.
- (3) Maintain written bylaws.
- (4) Conduct regular meetings.
- (5) Maintain written attendance records of all meetings.

As added by P.L.185-1991, SEC.5.

IC 25-13-2-6

Course credit hour requirements

Sec. 6. (a) A dental hygienist must complete at least fourteen (14) credit hours in continuing education courses each license period.

(b) Credit hours may be applied under this section only toward the credit hour requirement for the license period during which the credit hours are earned.

(c) During a license period, a dental hygienist may not earn more than five (5) credit hours toward the requirements under this section for continuing education courses that relate specifically to the area of practice management.

(d) Not more than two (2) credit hours for certification programs in basic life support required under IC 25-13-1-8(b)(3) may be applied toward the credit hour requirement during each license period.

As added by P.L.185-1991, SEC.5. Amended by P.L.179-1996, SEC.2.

IC 25-13-2-7

Award of credit hours

Sec. 7. Credit hours under section 6 of this chapter must be awarded as follows:

- (1) A course presented by a college under a regular curriculum is awarded one (1) credit hour for each lecture hour attended.
- (2) A course not listed in subdivision (1) is awarded one (1) credit hour for each lecture hour and two (2) credit hours for each participation hour of the course.
- (3) A speech, lecture, or other presentation by a dental hygienist is awarded two (2) credit hours if the following conditions are met:

- (A) The presentation concerns a subject that would be suitable

for a continuing education course.

(B) The subject of the presentation is eligible for credit only one (1) time, regardless of the number of times the subject is presented.

(C) The dental hygienist maintains a record of the time, place, and date of the presentation.

(D) The presentation is sponsored by an approved organization.

(E) Not more than four (4) credit hours are awarded to the dental hygienist under this subdivision during any license period.

(4) Attendance at a state, regional, or national meeting sponsored by an approved organization is awarded one (1) credit hour.

(5) Attendance at a meeting of a study club that uses films, audio cassettes, live presentations, or written materials sponsored by the American Dental Hygienist Association is awarded one (1) credit hour. However, a dental hygienist may not receive credit under this subdivision for more than four (4) credit hours during a license period.

(6) Attendance at a meeting of a study club featuring a guest speaker whose presentation concerns a subject suitable for a continuing education course is awarded one (1) credit hour for each hour attended.

(7) A home study course that is presented by an approved organization and meets the requirements under this subdivision is awarded the same number of credit hours given to courses provided by a college. If the approved organization does not assess credit hours to a course under this subdivision, the course is awarded one (1) credit hour for each hour of study material. Subject matter of the course may be presented by written, audio, or video materials.

As added by P.L.185-1991, SEC.5. Amended by P.L.119-1992, SEC.1.

IC 25-13-2-8

Documentation of attendance

Sec. 8. For each continuing education course attended, a dental hygienist shall retain:

- (1) a record of the number of hours spent in the continuing education course;
- (2) the subject matter presented;
- (3) the name of the sponsoring approved organization; and
- (4) verification of attendance;

for three (3) years.

As added by P.L.185-1991, SEC.5.

IC 25-13-2-9

Audit

Sec. 9. (a) Subject to IC 25-1-4-3, every two (2) years the board shall randomly audit for compliance more than one percent (1%) but less than ten percent (10%) of the dental hygienists required to take continuing education courses.

(b) When requested by the board, a dental hygienist shall provide the board with a copy of each verification of attendance retained by the dental hygienist for the previous three (3) years.

As added by P.L.185-1991, SEC.5. Amended by P.L.269-2001, SEC.8.

IC 25-13-2-10

Board supervision of course offerings; rules

Sec. 10. (a) A member of the board may attend or monitor a continuing education course.

(b) An approved organization must provide the board with course information or materials requested by the board.

(c) If the board determines that an approved organization does not meet the requirements of this chapter, the board shall do the following:

(1) Provide written notification to the organization of the noncompliance specifying the items of noncompliance and the conditions of reinstatement.

(2) Deny credit hours awarded by the organization from the time that the organization receives a notice until the date of reinstatement.

(3) Make reasonable efforts to notify dental hygienists of the organization's noncompliance status.

(d) The board shall adopt rules under IC 4-22-2 to implement this chapter.

As added by P.L.185-1991, SEC.5.

IC 25-13-2-11

Noncompliance of dental hygienist at time of license renewal

Sec. 11. (a) If the board determines that a dental hygienist has not complied with this chapter at the time that a dental hygienist applies for license renewal, the board shall do the following:

(1) Send the dental hygienist notice of noncompliance by certified mail.

(2) As a condition of license renewal, require the dental hygienist to comply with subsection (b).

(3) Issue a conditional license to the dental hygienist that is effective:

(A) unless the dental hygienist fails to comply with subsection (b); or

(B) until the dental hygienist complies with subsection (b).

(b) Upon receipt of a notice of noncompliance under subsection (a), a dental hygienist shall do the following:

(1) In addition to any civil penalty imposed under subsection (d), pay to the board a civil penalty not to exceed one thousand dollars (\$1,000) within five (5) days of receipt of the notice.

(2) Acquire, within six (6) months after receiving the notice, the number of credit hours needed to achieve full compliance.

(3) Comply with all other provisions of this chapter.

(c) If a dental hygienist fails to comply with subsection (b), the board shall immediately suspend the license of the dental hygienist and send notice of the suspension by certified mail.

(d) If the board determines that a dental hygienist has knowingly or

intentionally made a false or misleading statement to the board concerning compliance with section 6 of this chapter, the board shall administer the requirements under subsection (a) and impose a civil penalty of not more than two thousand five hundred dollars (\$2,500) as required under subsection (b)(1).

(e) The board shall:

- (1) reinstate a dental hygienist suspended under subsection (c); or
- (2) renew the dental hygienist's license in place of the conditional license issued under subsection (a)(3);

if the dental hygienist supplies proof of compliance with subsection (b).
As added by P.L.185-1991, SEC.5. Amended by P.L.119-1992, SEC.2.

IC 25-13-2-12

Application for renewal by dental hygienist not in compliance; procedure; reinstatement

Sec. 12. (a) If at the time a dental hygienist applies for license renewal the board determines that the dental hygienist has failed to comply with this chapter and the dental hygienist has previously received a notice of noncompliance under section 11(a) of this chapter during the preceding license period, the board shall do the following:

- (1) Provide the dental hygienist notice of noncompliance by certified mail.
- (2) Deny the dental hygienist's application for license renewal.

(b) The board shall reinstate a license not renewed under subsection (a) upon occurrence of the following:

- (1) Payment by the dental hygienist to the board of a civil penalty determined by the board, but not to exceed one thousand dollars (\$1,000).
- (2) Acquisition by the dental hygienist of the number of credit hours required to be obtained by the dental hygienist during the relevant license period.

(3) The dental hygienist otherwise complies with this chapter.

As added by P.L.185-1991, SEC.5. Amended by P.L.119-1992, SEC.3.

IC 25-13-2-13

Credit hours earned to achieve compliance for renewal; nonapplicability to subsequent license period

Sec. 13. Credit hours acquired by a dental hygienist under section 11(b)(2) or 12(b)(2) of this chapter may not apply to the dental hygienist's credit hour requirement for the license period in which the credit hours are acquired.

As added by P.L.185-1991, SEC.5.

IC 25-13-2-14

Locations of course offerings

Sec. 14. Continuing education courses must be made available in all geographical regions of Indiana.

As added by P.L.185-1991, SEC.5.